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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,707	07/17/2003	Seigo Ito	008312-0305056	9311
909	7590	02/01/2006	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			HALEY, JOSEPH R	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2653	

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/620,707

Applicant(s)

ITO, SEIGO

Examiner

Joseph Haley

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-14 is/are allowed.
- 6) ☒ Claim(s) 1,3,5,9 and 15-17 is/are rejected.
- 7) ☒ Claim(s) 2,4,6-8 and 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

The Information Disclosure Statements filed on 7/26/04 and 4/29/04 have been considered by the Examiner. However, the Japan and/or other foreign documents, if they have not been written in English, are considered to the extent that could be understood by the English Abstract and Drawings.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada (US 6442327) in view of Yoshiro (JP 2002093042).

In regard to claim 1, Yamada teaches an information recording and reproduction apparatus comprising: a recording and reproduction section configured to record and reproduce information in and from one recording medium of a first group (fig. 19 element 7) and one recording medium of a second group, which has a smaller recording capacity than said one recording medium of the first group (fig. 19 element 6), however Yamada does not teach

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a control section configured to display the number of recording media of the second group, which need to be used when the recording and reproduction section records the information recorded in said one recording medium of the first group.

Yoshiro teaches a control section configured to display the number of recording media of the second group, which need to be used when the recording and reproduction section records the information recorded in said one recording medium of the first group (see abst where Yoshiro teaches displaying the number of CR-R's required for recording).

The two are analogous art because they both deal with the same field of invention of recording onto a smaller medium from a larger one.

At the time of invention it would have been obvious to one of ordinary skill in the art to provide the apparatus of Yamada with the display of Yoshiro. The rationale is as follows: At the time of invention it would have been obvious to provide the apparatus of Yamada with the display of Yoshiro because it would allow the user to know exactly how many of the smaller medium were required to successfully perform the task.

In regard to claims 9 and 15 see claim 1 rejection above.

Claims 3, 5, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of Matsumoto (US 6504993).

In regard to claim 3, Yamada teaches all the elements of claim 3 except a registering section configured to reserve, in said one recording medium of the

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first group, a recording region which corresponds to the recording capacity of said one recording medium of the second group.

Matsumoto teaches a registering section configured to reserve, in said one recording medium of the first group, a recording region which corresponds to the recording capacity of said one recording medium of the second group (column 3 lines 28-33).

The two are analogous art because they both deal with the same field of invention of transporting information from one medium to another.

At the time of invention it would have been obvious to one of ordinary skill in the art to provide the apparatus of Yamada with the reserved area of Matsumoto. The rationale is as follows: At the time of invention it would have been obvious to provide the apparatus of Yamada with the reserved area of Matsumoto because it would ensure that enough area is allocated on the disc for all the information necessary.

In regard to claim 5, Matsumoto teaches the recording and reproduction section records the information recorded in said one recording medium of the first group, in the recording region which the registering section has reserved in one recording medium of the first group (Column 4 first paragraph Matsumoto teaches recording management information in the reserved area).

In regard to claim 16 see claim 3 rejection above.

In regard to claim 17, see claim 5 rejection above (in regard to the broadcast information Matsumoto teaches the information can come from a video recorder).

***Allowable Subject Matter***

Claim 10 is allowed.

The following is an examiner's statement of reasons for allowance: In regard to claim 10, the prior art fails to teach inputting the number of recording regions to be reserved in one recording medium of the first group, each corresponding to the recording capacity of one recording medium of the second group.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 2,4, 6-8 and 18-20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

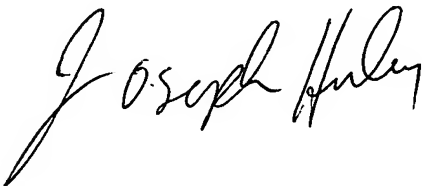
***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Haley whose telephone number is 571-272-0574. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TAN DINH  
PRIMARY EXAMINER  
1/27/06